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*Via ECF and First Class Mail*Hon. Leonard D. Wexler
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722Re: *Li v. Apple Inc., et al.*, Case No. CF-07-04005 (LDW)(ETB)

Dear Judge Wexler:

We write on behalf of defendants in the above-captioned action to respond to plaintiff's letter filed electronically today (but dated January 16) purporting to "object" to defendants' alleged request to "change the briefing schedule."

We were surprised to receive plaintiff's letter. None of the defendants have made any request to "change the briefing schedule," and have no intention of doing so. We wrote plaintiff's counsel last week informing her of the tentative briefing schedule proposed by the Court during the January 10 conference. Further to your Honor's order directing the parties to agree to a briefing schedule, we wrote her again earlier this week asking her if she had any changes to the briefing schedule proposed by the Court, and stating that if we did not hear from her we would seek to have the schedule "So Ordered." Plaintiff did not respond to our letters, but instead submitted her letter to the Court (which we interpret as her response to our letter). We tried to call plaintiff after receiving her letter, but she has not called us back.

In light of the above, we respectfully ask the Court to enter the attached Proposed Scheduling Order, which is identical to the schedule proposed by the Court on January 10.

Respectfully submitted,

/s/ Michael B Miller

Michael B. Miller

(Att.)

cc: All Counsel (Via ECF)

ny-796173